

REMARKS

The Official Action mailed March 29, 2007, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on October 20, 2003.

Claims 2-6, 10, 11, 14, 15, 18, 19 and 21-25 were pending in the present application prior to the above amendment. (Although the Office Action Summary shows that claims 1, 7-9, 12, 13, 16, 17 and 20 are withdrawn, the Applicant notes that these claims were canceled in the *Amendment* filed on August 17, 2006.) The features of dependent claim 25 have been incorporated into independent claim 2. Also, claim 2 has been further amended to better recite the features of the present invention. New dependent claim 26 has been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 2-6, 10, 11, 14, 15, 18, 19, 21-24 and 26 are now pending in the present application, of which claims 2 and 6 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 5 of the Official Action rejects claims 6, 11, 15 and 19 as anticipated by U.S. Patent Application Publication No. 2003/0063077 to Koyama (Serial No. 10/251,790, now U.S. Patent No. 7,138,975). The Official Action asserts that Koyama '077 is available as prior art under 35 U.S.C. § 102(e). The Applicant respectfully disagrees and traverses the assertions in the Official Action.

The present inventor, Jun Koyama, is the sole inventor in the present application, and is the same person as the sole inventor in the '790 application. As such, the '790 application is not an application for patent "by another." Therefore, Koyama '077 is not available as prior art under § 102(e).

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraph 7 of the Official Action rejects claims 2-5, 10, 14, 18, 21, 22 and 25 as obvious based on the combination of U.S. Patent Application Publication No. 2002/0036636 to Yanagi and U.S. Patent No. 6,909,413 to Nanno. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against independent claim 2 of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. “The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art.” In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of independent claim 2, as amended. The Applicant has amended independent claim 2 to incorporate the features of dependent claim 25, *i.e.* a display device comprising a charge pump control circuit formed over the substrate, which controls the charge pump circuit, the charge pump control circuit comprising: a variable

frequency-dividing circuit formed over the substrate; and a processing circuit formed over the substrate, which controls the variable frequency-dividing circuit. Also, claim 2 has been amended to newly recite that the variable frequency-dividing circuit comprises a plurality of dividing circuits formed over the substrate; a plurality of switches electrically connected to the plurality of dividing circuits; and a decoder for controlling the plurality of switches, which is supported in the present specification, for example, by page 6, line 30, to page 7, line 4, and Figure 9. The Applicant respectfully submits that Yanagi and Nanno, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Yanagi and Nanno do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Paragraph 8 of the Official Action rejects claims 23 and 24 as obvious based on the combination of Yanagi, Nanno and U.S. Patent Application Publication No. 2001/0007432 to Ayres. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against independent claim 2 of the present application, as amended.

Please incorporate the arguments above with respect to the deficiencies in Yanagi and Nanno. Ayres does not cure the deficiencies in Yanagi and Nanno. The Official Action relies on Ayres to allegedly teach the features of dependent claims 23 and 24. Specifically, the Official Action relies on Ayres to allegedly teach that a switching element is a diode or a PIN diode (pages 8-9, Paper No. 20070322). However, Yanagi, Nanno and Ayres, either alone or in combination, do not teach or suggest the following features or that Yanagi, Nanno should be modified to include any of the following features: that the variable frequency-dividing circuit comprises a plurality of dividing circuits formed over the substrate; a plurality of switches electrically connected to the plurality of dividing circuits; and a decoder for controlling the plurality

of switches. Since Yanagi, Nanno and Ayres do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claim 26 has been added to recite additional protection to which the Applicant is entitled. The features of claim 26 are supported in the present specification, for example, by page 6, line 30, to page 7, line 4, and Figure 9. For the reasons stated above, the Applicant respectfully submits that new claim 26 is in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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